or primary; for political services performed on that day, or for loss of time due to attendance at the polls, or for the expenses of transportation of any voter to or from the polls. No person is allowed for himself or for another person, either before or after primary or election, directly or indirectly, to give, provide, or pay for, or obligate himself to pay for any food, entertainment, drink, tobacco, cigars, or clothing, with the hope or intent of influencing any vote for or against any candidate at any primary or election. The provision is added that the buying or furnishing of any liquor, tobacco or cigars by any candidate either directly or indirectly, and the furnishing thereof to any elector or electors of the district in which he is a candidate shall be *prima facie* evidence of the fact that such articles were bought with the hope and intent of influencing the vote of the elector to whom the articles were furnished.

Any candidate failing to comply with the requirements regarding the filing of statements mentioned above shall not be entitled to have his name on the official ballot, nor shall any officer certify such candidate nor cause his name to be placed on the ballot. Such delinquent candidate shall not be entitled to receive a certificate of election, and shall be disqualified for holding the office for which he was a candidate, and no officer shall issue certificates of election. Any vacancy thus created may be filled by the regularly constituted party committee having jurisdiction over the case.

LORIAN P. JEFFERSON.

Election Laws: The New Geran Law in New Jersey. Up to the present year the election law of New Jersey was one of the most backward and unsatisfactory in the country. The system of separate semi-official ballots and official envelopes, which was abandoned in Connecticut in 1909, remained in use in New Jersey with few modifications, and, in conjunction with the distribution of ballots prior to election day and the free use of posters, was the source of numerous evils. The direct primary law, although including a feeble expression of preference as to United States senator, was mandatory only as to members of the legislature and to county, municipal, ward and township officers. The provisions of law designed to prevent illegal registration and voting, ballot box stuffing and other electoral offences, and to secure honesty and secrecy at elections, were far from adequate. The appointment of election officers, as is still unfortunately the case in most of the states, was virtually left to the Republican and

Democratic party organizations, with no provision for any test as to the fitness or intelligence of the persons thus selected.

Attempts, based on reports of special committees of the legislature, to secure the adoption of a more or less general revision of the election law were defeated in 1908 and 1909, both party organizations showing themselves averse to any drastic amendment.

By the passage, however, of the so-called Geran election law last winter (L. 1911, Ch. 183) under the effective leadership of Governor Wilson this whole situation was changed, and the electoral system of the state was brought as fully into accord with progressive ideas as any in the country.

The first important change accomplished by the new law is an extension of the direct primary system to include the governor, members of congress and delegates to national party conventions. The primaries for the election of delegates to national conventions are to be held on the fourth Tuesday in May of each year in which a president is to be elected. The name of any candidate for nomination for the presidency may be placed on the official primary ballot at this election by a petition, signed by at least 1,000 voters of the party whose nomination he seeks, and filed with the secretary of state on or before the first of April. The vote at the primaries is to be regarded merely as an expression of the preference of the voters.

It is also provided that candidates for either house of the state legislature shall sign and file with their petitions entitling them to a place on the official primary ballot one of two statements which read as follows: Statement No. 1. "I hereby state to the people of New Jersey, as well as to the people of ——— county, that during my term of office I will vote for that candidate for United States senator in congress who has received the highest number of votes in my party in the state for that position at the primary election next preceding the election of a senator in congress." Statement No. 2. "During my term of office I shall consider the vote of the people for United States senator in congress as a recommendation which I shall be at liberty to disregard if the reason for doing so seems to me to be sufficient." This system, as will be seen, is similar to the well-known plan devised and adopted in Oregon and since copied more or less closely in a number of other states. It differs from the Oregon plan, however, in several important respects. In Oregon the candidate of each party for United States senator who receives the largest number of votes in the primary election of his party receives the party nomi-

nation and has his name placed as the party candidate for senator on the official ballot for the *general* election. On election day the voters of the state choose between the candidates of the several parties, and the famous "Statement No. 1" signed by candidates for the Oregon legislature is a pledge to vote, not for the candidate for United States senator who has received the largest number of votes at the primary of the party to which the signer belongs—as in New Jersey—but for the candidate for senator, irrespective of party, who has received the largest popular vote at the general election. No such situation, therefore, could arise under the New Jersey law as arose in Oregon when Senator Chamberlain was chosen by a Republican legislature. In Oregon there is also a law, the constitutionality of which has been questioned, making it mandatory upon members of the legislature to vote for the candidate for United States senator who has received the largest popular vote at the preceding general election. No such provision has been included in the New Jersey law. Since all devices for securing popular control over the choice by the state legislatures of United States senators are likely soon to be rendered useless by the adoption of a constitutional amendment providing for their popular election, the differences above noted are not likely to have any very important effects.

In the new election law of New Jersey provision is also made for a "primary registry" of voters before both the spring primary in presidential years and the regular fall primary every year, in addition to the registration of voters for the general election. This "primary registry" is similar to what is known in New York as party enrollment. In New York a voter, in order to be able to vote at his party primary in any given year, must have enrolled as a member of his party on one of the regular days of registration of the preceding year. There are provisions for supplemental enrollment during the intervening winter and for the transfer of persons who have moved during the year from one district to another, but in general these provisions do not apply to the larger cities, and party lines are established, for the most part, almost a year in advance of the regular fall primaries. The New Jersey system is slightly more elastic. The election district boards of registry and election in municipalities of over 5,000 inhabitants make up the primary register (which in such districts is entirely distinct from the general election register) at least ten days before the primary election (1) by placing thereon the names of all persons shown by the poll-book of the previous year to have voted at the last

general election; (2) by adding thereto the names of all persons who register for the ensuing general election on the first day of registration; (3) by adding thereto the names of all persons presented by affidavit as being entitled to vote at the ensuing general election; and (4) by placing after the names of any of the persons above mentioned who are shown by the Republican and Democratic primary books of the year before to have voted at the Republican or Democratic primaries the letters "R" and "D" respectively. In municipalities of 5,000 inhabitants or less the boards of registry and election make up the register for the ensuing general election ten days before the primary election by means of a house-to-house canvass, and adapt this general election register for use as a primary register by adding after the several names the letters "R" or "D" in the manner above indicated for municipalities of 5,000 inhabitants or over.

The primary registers so made up are subject to correction by the county boards of elections, and subsequently, on the appeal of any voter, by the court of common pleas of any county.

The primary election is held on the second day of registration (the fourth Tuesday in September) and no person is allowed to vote in the primaries of either party whose name does not appear on the primary register above described, or who is shown to have voted the preceding year in the primaries of the opposite party. This system, while not quite as rigid as the New York system of party enrollment, is nevertheless similar to the latter in ensuring a distinctly "closed" rather than an "open" primary.

Another important change has been made in the system of registration for general elections by the adoption of the so-called "signature law," first adopted in California in 1905, and adopted in a more elaborate form for New York City in 1908. Under this provision, as now in force in New Jersey, each voter, on presenting himself for registration in any municipality of over 5,000 inhabitants on any of the three days of registration, must, in addition to answering the usual questions as to his voting qualifications, either sign his name in one copy of the register known as the "signature copy," in a separate column under the words "the foregoing statements are true," or, if he allege his inability to sign, answer a special set of questions contained in a form known as an "identification statement for registry day." On presenting himself to vote on election day the voter must either sign his name in one of the poll-books known as the "signature poll-book" or, without referring to his previous answers, answer again

the same set of identification questions which were asked of him on registration day. His two signatures, or his two sets of answers, are then to be compared, and unless they correspond sufficiently to show that the intending voter is the same person who registered under the given name of the applicant he will not be allowed to vote. If they do correspond, one of the members of the board of registry and election is to certify this fact by signing his initials in the next column, which is headed "signatures compared," or by signing the list of questions known as "identification statements for election day." This system has proved remarkably successful in New York City preventing illegal registration, personation and repeating, and it is likely to be extended this year to apply to the entire state. Its use at primary elections has also been strongly advocated.

Another important improvement in the election machinery of the state is the provision in the new law for the examination of candidates for membership on election district boards of registry and election by the State Civil Service Commission. Candidates will still be recommended as heretofore by the county committees of the two leading political parties, but additional candidates from each of these parties may also be recommended by petitions signed by any five voters belonging to either one of them. All the candidates recommended either by the county committees or by petition will then be examined by the State Civil Service Commission for the purpose of testing both their general competence and intelligence and their knowledge of the election law. The commission is to certify the names of the candidates for each election district who pass this examination in two lists, separating the candidates of one party from those of the other. The two election officers for each district from each of the two leading parties will then be chosen by lot by the county board of elections from those two lists—the two Republicans from one list and the two Democrats from the other. Any voter may question any such appointment and apply to a judge of the court of common pleas to grant a hearing thereon, and if the appointee has been improperly selected, the judge may cancel the appointment and proceed to fill the vacancy.

While this is hardly an ideal method for the appointment of election officers, it is not only a great improvement over the method heretofore in use in New Jersey, but also a step in advance (so far as the writer has been able to learn) over the system of appointment in force in any other state in the Union. In cities of the first class in New York

state candidates for appointment as election officers have, for some time past, been nominally examined as to their general fitness and knowledge of the election law; but the report on the New York City board of elections made to Mayor Gaynor last winter by the commissioner of accounts makes it clear that, in one city at least, these examinations have usually been nothing more than a farce. The mere introduction of the idea of civil service examinations in connection with these positions is a long and promising step in the right direction.

The final important change effected by the new law—aside from a number of detail amendments—is the substitution of an official blanket ballot of the "office-group" (or, as it is more commonly known, the Massachusetts) form for the present system of semi-official ballots, separate for each party, and official envelopes. With this goes a corresponding change in the rules for marking and handling the ballots. At present the average voter, having obtained the ballot of his party outside the polling place and prior to election day, merely brings it with him when he comes to vote and encloses it in an official envelope given him by the election officers. Under the new law the official ballots will be obtainable only from the election officers, at the polling places and on election day. Each ballot will be provided with a detachable numbered stub, the number on which will be noted opposite the voter's name on the poll-book when the ballot is given to him. When the voter has marked his ballot in the voting-booth and returns it to the election officers to be deposited in the ballot-box the number on the stub is to be compared with that opposite his name in the poll-book, and, if the numbers correspond, the stub is to be torn off and preserved separately and the ballot deposited. This system, which is in use in a number of states, not only prevents the substitution of any unofficial ballot for that received from the election officers, but also offers a complete safeguard against ballot-box stuffing.

The adoption of the Massachusetts, or Australian, form of ballot —on which the names of the candidates are arranged in alphabetical order under the titles of the several offices, each followed by the name of the party or parties by which the candidate has been nominated or endorsed—is an achievement welcome to ballot reformers the country over, as indicating a trend away from the "party column" arrangement, and back to the earlier and better form. No less important than the adoption of this better form of ballot is the corresponding

provision of a new set of rules for marking it, according to which the voter must make a separate cross mark opposite the name of each individual candidate for whom he wishes to vote. This is the original Australian method, and the only method which is fair and equal for all candidates and for all classes of voters. The fight for a fair and workable ballot has been a long and discouraging one in this country, but the signs of a growing enlightenment on the subject are now becoming evident.

Among the less striking changes embodied in the new law are a provision for the framing of the party platform each year by a state convention of each party composed of (1) candidates for both houses of the legislature, (2) in certain years hold-over senators, (3) candidates for governor in gubernatorial election years (in other years the governor is a member of the state convention of his own party) and (4) members of the state committee, one from each county; more careful provision as to the form of the official primary ballots, and permission to any candidate for nomination to have printed thereon, opposite his name, a six-word declaration of the principles or policy for which he stands; provision for the mailing to each voter, prior to the primary election and the general election respectively, of sample primary and general election ballots; and the reduction of the number of voters in each election district by a lowering of the outside limit for a district from 600 to 400 voters.

Seldom in the history of this country has so great an improvement in the entire electoral system of any state been accomplished by a single act of the legislature. Those interested in electoral reform in other states will find many features in this law worthy of careful study.

ARTHUR LUDINGTON.

Employers' Liability and Workmen's Compensation. The legislative sessions of 1911 resulted in the passage of a number of important laws relating to employers' liability and workingmen's compensation for injuries. Such laws were passed in California, Kansas, New Hampshire, New Jersey, Washington and Ohio. It may also be noted that the people of Oregon adopted such a law by initiative petition at the elections of last November.

On April 4, 1911, Governor Wilson of New Jersey approved an act providing for a system of compensation for injuries to employees, which follows a plan submitted by a commission appointed last year to investigate the subject. The act is modeled in general upon that